

UNITED STATES DISTRICT COURT

for the

Eastern District of Oklahoma

United States of America

v.

RICKY SCOTT, JR.

Date of Previous Judgment: July 5, 2006
(Use Date of Last Amended Judgment if Applicable)

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)
)
Case No: CR-06-00001-002-RAW
USM No: 04456-063
pro se
Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 155 months is reduced to 137 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 33 Amended Offense Level: 31
Criminal History Category: VI Criminal History Category: VI
Previous Guideline Range: 235 to 293 months Amended Guideline Range: 188 to 235 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
 The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
 Other (explain):

III. ADDITIONAL COMMENTS

The defendant's motion for a hearing is denied. The Court finds that the provisions of the *Booker* decision are not applicable in this case.

Except as provided above, all provisions of the judgment dated July 5, 2006 shall remain in effect.

IT IS SO ORDERED.

Order Date: 04/02/08

Effective Date: _____
(if different from order date)


Ronald A. White
United States District Judge
Eastern District of Oklahoma